

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 Children's Health Defense,
4 Plaintiff,

5 v.

6 Facebook, Inc., et al.,
7 Defendant.
8

Civil Action No. 3:20-cv-05787-SI

DECLARATION OF NELSON TUCKER

9
10 I, NELSON TUCKER, declare:

11 1. I am over eighteen years of age, am not a party to the within action, and reside in
12 the states of California and Tennessee. I have personal knowledge of the contents of this
13 declaration and, if called to testify as a witness, could and would testify competently
14 thereto.

15 2. I am the CEO of Process Service Network, a service of process firm which has been
16 in business since 1978. I am a Registered Process Server and have been engaged in with
17 service of process on defendants over the past 43 years. I am qualified as an expert
18 witness in the subject of international service of process. I am an Associate Member of the
19 American Bar Association ("ABA"), and the Los Angeles County Bar Association. I
20 regularly conduct MCLE courses for various bar associations on issues related to service
21 of process. I regularly conduct MCLE courses on the subject of international service of
22 process.

23 3. In February 2021, my office was retained by Plaintiff to serve a Summons in a Civil
24 Action, Verified Second Amended Complaint, and related court-issued documents in this
25 action upon Science Feedback at their business address in Paris, France, pursuant to the
26 Hague Service Convention.

27 4. On March 2, 2021, I sent the formal Hague Service Convention Request for
28 Service Abroad of Judicial or Extrajudicial Documents to the Ministry of Justice (Central

1 Authority), as required by the treaty. The documents were sent in duplicate in both English
2 and French. I have attached to this Declaration the formal request as Exhibit "A".

3 5. I have attached to this Declaration the USPS shipping receipt dated March 2, 2021
4 as Exhibit "B". I have confirmed that the documents were received by the Ministry of
5 Justice on March 8, 2021, at 10:48 a.m.

6 6. Service made in France pursuant to the Hague Service Convention typically take 3-4
7 months. However, due to restrictions related to COVID-19, service is currently taking 5-7
8 months. There is no available procedure to expedite the service. After the service is
9 completed by French authorities, the French court will forward the proof of service
10 ("Certificate") to the Ministry of Justice which will, in turn, forward the Certificate to the
11 attorney for Plaintiff.

12 7. All statements made in this declaration are based upon my personal knowledge and
13 experience. Any part which may deemed to be hearsay should not affect the remainder of
14 this declaration.

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct. Executed on July 12, 2021, in Franklin, Tennessee.


17
18 
19 Nelson Tucker, CEO
20 Process Service Network
21 800-417-7623
22
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Exhibit “A”

Children's Health Defense v. Facebook Inc., et al.
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**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS**

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or
Commercial Matters, signed at The Hague, the 15th of November 1965.

Identity and address of the applicant

Roger Teich, Esq.
Authorized to act as Applicant
290 Nevada Street
San Francisco, CA 94110 USA

Address of receiving authority

Ministère de la Justice
Direction des Affaires Civiles et du Sceau
Bureau du droit de l'Union, du droit international
privé et de l'entraide civile (BDIP)
13, Place Vendôme
75042 Paris Cedex 01
France

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., (identity and address):

SCIENCE FEEDBACK

7, rue de Tocqueville
75017 Paris, France

☒ a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of Article 5 of the Convention*.

☐ b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of Article 5)*:

☐ c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)*.

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

Service is requested pursuant to Federal Rules of Civil Procedure, Rule 4, and the Hague Service Convention

List of documents:

Summons in a Civil Action; Civil Case Cover Sheet; Verified Second Amended Complaint; Exhibits A and B; Certification of Interested Entities or Persons; Certificate of Service; ECF Registration Information; Judge Illston's Standing Order; Standing Order for All Judges of the Northern District of California - Contents of Joint Case Management Statement; Order Reassigning Case; Notice of Eligibility for Video Recording; Initial Case Management Guideline and Clerk's Notice

Done at San Francisco, California, USA, on the 1st day of March, 2021



Signature

* Delete if inappropriate.

Certificate

The undersigned authority has the honor to certify, in conformity with article 6 of the Convention,

1) that the document has been served*

the (date) _____

at (place, street, number) _____

—in one of the following methods authorized by article 5—

____ (a) in accordance with the provisions of sub-paragraph (a)
of the first paragraph of article 5 of the Convention*

____ (b) in accordance with the following particular method*: _____

____ (c) by delivery to the addressee, who accepted it voluntarily*

The documents referred to in the request have been delivered to:

-- (identity and description of person) _____

-- relationship to addressee (family, business or other): _____

2) that the document has not been served, by reason of the following facts*: _____

In conformity with the second paragraph of article 12 of the Convention, the applicant is required to pay or reimburse the expenses detailed in the attached statement.*

Annexes

Documents returned:

Done at _____, the _____

In appropriate cases, documents
establishing the service:

Signature and/or stamp. _____

*delete if inappropriate.

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WARNING

Identity and address of the addressee:

SCIENCE FEEDBACK

7, rue de Tocqueville
75017 Paris, France

IMPORTANT

The enclosed document is of a legal nature and may affect your rights and obligations. The "Summary of the Document to Be Served" will give you some information about its nature and purpose. You should however read the document itself carefully. It may be necessary to seek legal advice.

If your financial resources are insufficient you should seek information on the possibility of obtaining legal aid or advice either in the country where you live or in the country where the document was issued.

Enquiries about the availability of legal aid or advice in the country where the document was issued may be directed to:

Clerk of the Court
U.S. District Court
Northern District of California
Phillip Burton Federal Building & United
States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102 USA

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SUMMARY OF THE DOCUMENT TO BE SERVED

**Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial
Matters, signed at The Hague, the 15th of November 1965.
(Article 5, fourth paragraph)**

Name and address of the requesting authority:

**Roger Teich, Esq.
Authorized to act as Requesting Authority
290 Nevada Street
San Francisco, CA 94110 USA**

Particulars of the parties*:

**SCIENCE FEEDBACK (Defendant)
7, rue de Tocqueville
75017 Paris, France**

JUDICIAL DOCUMENT**

Nature and purpose of the document:

To give notice to the Defendant of the commencement of a civil claim for injunctive and declaratory relief, compensatory and punitive damages, and to summons it to serve written defenses to the claim.

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Civil claim for determination of issues as stated in the documents to be determined by the Court of original jurisdiction.

Date and place for entering appearance:**

Not applicable (N/A)

Court which has given judgment:**

Not applicable (N/A)

Date of judgment:**

Not applicable (N/A)

Time-limits stated in the document:**

Defendant is to serve written defenses (Answer) to the action upon Plaintiff or attorney for Plaintiff within 21 calendar days after service of the Summons (not counting the day you received it).

EXTRAJUDICIAL DOCUMENT**




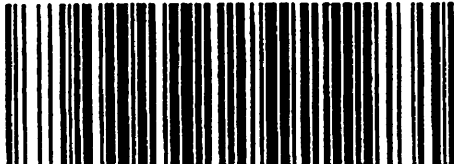
Nature and purpose of the document: Not applicable (N/A)

Time-limits stated in the document:** Not applicable (N/A)

*** If appropriate, identity and address of the person interested in the transmission of the document.**

**** Delete if inappropriate.**

Exhibit “B”

| | | | | | | | | | | | |
|---|---|---|--|--|---|---|-------------------------|--|------------------------------------|--|--|
| F R O M | 8004177623 MID: 969000940 | | CP72 - CUSTOMS DECLARATION | | P | \$99.90 US POSTAGE PMI LG FLAT-RATE BOX 062S0008017136 ComBasPrice | | stamps endicia FROM 91311 03/02/2021 | | | |
| | NELSON TUCKER PSN INTERNATIONAL 21218 Merridy Street Chatsworth CA 91311 | | Origin Post: US Postal Service | | | Date of Mailing: 03/02/2021 | | | | | |
| | | | Importer's reference: | | | | | | | | |
| | | | Importer's contact: | | | | | | | | |
| Detailed description of contents: Legal Documents | | | Qty 1 | Net Weight (lbs/oz) 16 9.0 | Value (US \$) 1.00 | HS Tariff Number | Origin Country US | Insured Value: \$100.00 SDR Value: \$65.76 Insured Fee: \$0.00 Postal charges/Fees: \$99.90 | | | |
| Category of Item: Documents | | | TOTAL | 16 9.0 | 1.00 | I certify the particulars given in this customs declaration are correct. This form does not contain any undeclared dangerous articles, or articles prohibited by Legislation or by postal or customs regulations. I have met all applicable export filing requirements under federal law and regulations. | | | | | |
| Exporter's reference: | | Exporter's contact: | | Total Dimensions: L: W: H: | | Sender's Signature and Date NELSON TUCKER 03/02/2021 | | | | | |
| AES/ITNE/Exemptions: NOEEI 30.37(a) | | Invoice/License/Certificate No(s) // | | | Return to Sender Instructions in case of nondelivery Treat as Abandoned | | | | | | |
|  | |  | |  | | | | | | | |
| T O | 800-417-7623 Ministère de la Justice Direct./Affaires Civiles et du Sceau Département de l'entraide, (DEDIPE) 13, Place Vendôme Paris Cedex 01 75042 FRANCE | | | |  | | | | | | |
| | | | | | CJ 459 931 210 US | | | | | | |
| PS Form 2976-A (March 2016) | | | | | | Do not duplicate this form without USPS approval. | | | The item may be opened officially. | | |